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Enclosure of June 2, 2004

Your ref.: W08343 **Our ref.: DE 40386**
German Patent Application No.: 103 55 480.7-24
Applicant: AISIN SEIKI KABUSHIKI KAISHA
Title: "Rotary Solenoid Apparatus"

TRANSLATION
of the Official Letter dated April 20, 2004
(rec'd May 10, 2004)

In the present Official Letter the following references are mentioned for the first time (the numbering assigned thereto shall also be adhered to in the further course of the proceedings):

(1) DE 36 18 982 A1

(2) DE 39 05 901 A1

When jointly considering the subject matters according to the two references (1) and (2), an apparatus as claimed in the application is rendered obvious.

For instance, reference (1) discloses, in the words of the applicant, a rotary solenoid apparatus (cf. in particular the drawings), comprising a rotation shaft (cf. the shaft in claim 1), a regulating means for regulating the rotation range of the rotating shaft, a spring (cf. reference sign 24) for urging the rotating shaft in the circumferential direction, a yoke (cf. reference sign 12) having a pair of stator portions (cf. reference signs 9, 10) being opposite to the armature 5 with a predetermined clearance, a coil (cf. reference sign 13) wound on the yoke (cf. reference sign 12) and an energization control means (cf. reference sign 15) for controlling the energization of the coil (cf. reference sign 13) so that the coil (cf. reference sign 13) is selectively excited.

Reference (2) also discloses a rotary solenoid apparatus (cf. in particular the drawing) comprising a rotation shaft (cf. reference sign 2), a permanent magnet (cf. reference sign 11) fixed to the rotating shaft (cf. reference sign 2) in a body, a spring (cf. reference sign 14) for urging the rotating shaft (cf. reference sign 2) in the circumferential direction, a yoke (cf. reference sign 6) having a pair of stator portions being opposite to the permanent magnet (cf. reference sign 11) with a predetermined clearance, a coil (cf. reference sign 7) wound on the yoke (cf. reference sign 6), and wherein the permanent magnet (cf. reference sign 11) is magnetized in the radial direction of the rotation shaft (cf. reference sign 2) (cf. the description, column 2, lines 32 and 33).

In the knowledge of such a prior art, it is obvious to the person skilled in the art to transfer the principle known from reference (2) to a device of the generic kind according to reference (1).

Therefore, claim 1 is not allowable for lack of inventive activity of its subject matter.

Thus, also claim 2 which, in the present version as a subclaim, requires an allowable main claim, is not allowable. Besides, it merely contains expedient further developments of the subject matter according to claim 1 which lie within the framework of the skilled person's abilities.

On the basis of the present documents, the grant of a patent cannot be envisaged; rather, the rejection of the application has to be expected. If the applicant does not

intend to file a reply in the matter, he is requested to informally acknowledge receipt of the Official Letter.

Examining Division for class H01F
Dr.-Ing. Hagedorn

Enclosure:
Copy of 2 references